IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION No. 24994 of 2004

Between:

Sikilambatla Saidulu, s/o Sooraiah,
r/o H.No.8-1-443 (Old) 8-4-149(new) Sathishnagar,

Nalgonda Town & Dist.

..... PETITIONER

AND

1. The Commissioner, Nalgonda Municipality,

Nalgonda, Nalgonda District.

2. S.Poola Bhai, W/o.Saidulu, R/o.H.No.8-1-148

Sathishnagar, Govt.Hospital Road, Nalgonda

3. S.Anil Kumar, S/o.Saidulu, R/o.H.No.8-1-148

Sathishnagar, Govt.Hospital Road, Nalgonda

(Respondent Nos.2 and 3 are added as per Orders

of Hon'ble High Court, Dated 28.04.2005)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the inaction on the part of the respondent in not disposing of the proceedings in pursuance of its notice dt.13-7-2001 as illegal, arbitrary and consequently direct the respondent to pass appropriate orders by conducting enquiry into the above matter at an early date and to pass necessary order or orders.

Counsel for the Petitioner: MR.VENUGOPALA RAO PASNOORU

Counsel for the Respondent No.1: MR.P.RADHAKRISHNA
Counsel for the Respondent Nos.2 and 3:

The Court at the admission stage made the following:

ORDER:

This writ petition is filed aggrieved by the inaction of the respondents in not disposing of the proceedings in pursuance of notice dated 13.07.2001 with regard to ownership of house bearing No.8-1-443 (old) 8-1-963(New) situated at Nalgonda Municipality limits.

Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for the 1st respondent.

As per the impugned notice dated 13.07.2001, the 1st respondent directed the petitioner and respondents 2 and 3 to furnish authentic ownership documents relating to the house in question. The petitioner has submitted relevant documents to the 1st respondent on 30.07.2001. From July,2001 till this day the authorities have not taken any steps to ascertain the ownership to the house in question. In those circumstances, the petitioner was constrained to file this writ petition.

The matter is pending consideration from 31.12.2004. The respondents have not chosen to file their counter.

In the facts and circumstances as explained by the petitioner, without going into the merits of the case, I deem it appropriate to dispose of the writ petition, with a direction to the 1st respondent to enquire into the matter with regard to ownership of the house in question, in pursuance of the documents furnished by the petitioner and the contesting party as directed by the impugned notice dated 13.07.2001, after affording opportunity to both parties and

pass appropriate orders in that regard within a period of eight weeks from the date of receipt of a copy of this order.

With the above directions, the Writ Petition is disposed of. No order as to costs.

ASSISTANT REGISTRAR

Dated:06.06.2005

Dsr

To:

1. The Commissioner,

Nalgonda Municipality,

Nalgonda, Nalgonda District

2. Two CD copies

*Form-NIC-OGS/WP{**RS**}*